

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JONATHAN DIMARCO,

Plaintiff,

- against -

SJP PROPERTIES, ET AL.,

Defendants.

21-cv-8391 (JGK)

ORDER

JOHN G. KOELTL, District Judge:

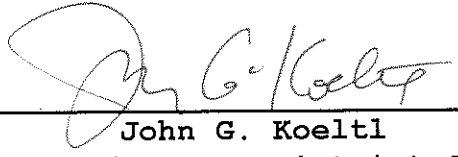
The defendants have shown sufficiently that their failure to respond to the summons and complaint that were served on the Secretary of State was not willful. When the Court ordered papers to be delivered to the defendants' actual addresses, they responded promptly. In any event, there is no prejudice to the plaintiff from allowing the litigation to proceed and the defendants have asserted good faith defenses. Therefore, there is good cause to vacate the defaults entered by the Clerk. Cases should be decided on the merits if reasonably possible.

Therefore, the certificates of default (ECF No. 15) are vacated. The applications for a default judgment are denied. The time for the defendants to respond to the complaint is extended to April 22, 2022. The Clerk is directed to close all pending motions.

The Clerk is further directed to mail a copy of this Order to the plaintiff and to note service on the docket.

SO ORDERED.

Dated: New York, New York
April 1, 2022



John G. Koeltl
United States District Judge